

DATE SUBMITTED 05/08/2019  
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR  
 DATE ACTION REQUIRED 05/15/2019

COUNCIL ACTION (X)  
 PUBLIC HEARING REQUIRED ( )  
 RESOLUTION ( )  
 ORDINANCE 1<sup>ST</sup> READING ( )  
 ORDINANCE 2<sup>ND</sup> READING ( )  
 CITY CLERK'S INITIALS ( )

*(Handwritten mark)*

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT:	DISCUSSION/ACTION:  RELINQUISHMENT OF A PORTION OF A 15-FT WIDE DRAINAGE EASEMENT LOCATED ALONG THE NORTH SIDE OF APN 064-330-017  1. AUTHORIZATION TO FILE A QUITCLAIM DEED FOR THE RELINQUISHMENT OF A PORTION A DRAINAGE EASEMENT.		
DEPARTMENT INVOLVED:	COMMUNITY DEVELOPMENT DEPARTMENT		
BACKGROUND/SUMMARY:	The City of Imperial received an application from Springfield Associates LLC, owner of the parcel located at 516 Aten Blvd (APN 064-330-017) requesting that a portion of an existing 15-foot wide drainage easement located along the North side of the parcel be abandoned. See Exhibit 1 attached herewith for details.  Said drainage easement was established, but not dedicated to the City of Imperial, per Parcel Map No. 28-90, on file in Book 8, Page 47 in the Recorder's Office of the County of Imperial.  The Community Development Department, along with the Public Services Department, completed an extensive review of documents on record and the historical use of this portion of drainage easement concluding that there is no opposition for the permanent relinquishment of said easement by the City of Imperial through the attached Quitclaim Deed.		
FISCAL IMPACT: NONE		FINANCE ADMIN SERVICES SIGN INITIALS	<i>(Handwritten initials)</i>
STAFF RECOMMENDATION:	Staff recommends the authorization to file a quitclaim deed for the relinquishment of said portion drainage easement.	DEPT. INITIALS	<i>(Handwritten initials: OM)</i>
MANAGER'S RECOMMENDATION:		CITY MANAGER'S INITIALS	<i>(Handwritten initials: S)</i>
MOTION:			
SECONDED: AYES: NAYES: ABSENT:	APPROVED ( ) DISAPPROVED ( )  REFERRED TO:	REJECTED ( ) DEFERRED ( )	

Recording requested by (name):

CITY OF IMPERIAL

When recorded mail to  
and mail tax statements to:

Springfield Associates, LLC

An Ohio Limited Liability Company

202 N. Limestone St. 300

Springfield, OH 45503

Recorder's Use Only

## QUITCLAIM DEED

Assessor's Parcel No. (APN):

064-330-017

Documentary Transfer Tax: \$ 0.00

If exempt, enter R&T code: \_\_\_\_\_

Explanation: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Declarant or Agent determining tax*

### Declaration of Exemption From Gov't Code § 27388.1 Fee

- Transfer is exempt from fee per GC § 27388.1(a)(2):
  - recorded concurrently "in connection with" transfer subject to Documentary Transfer Tax
  - recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier
- Transfer is exempt from fee per GC 27388.1(a)(1):
  - Fee cap of \$225.00 reached     Not related to real property

For a valuable consideration, receipt of which is hereby acknowledged,

**City of Imperial**

(Disclaiming Party(ies)) hereby quitclaim(s) to

**Springfield Associates, LLC an Ohio Limited Liability Company**

(Property Owner(s)) the following real property in the City of Imperial \_\_\_\_\_,

County of Imperial \_\_\_\_\_, California (insert legal description):

### PORTION OF RELINQUISHED EASEMENT

The West 340.73 Feet of an existing 15.00 Feet Drainage Easement granted per PARCEL Map NO. 28-90, on file in Book 8, Page 47 in the Recorder's Office of the County of Imperial, State of California, Lying South of the North Line of Parcel 1 of Parcel Map No. 40-91 on File in Book 9, Page 82 in said Recorder's Office as described and illustrated by the attached Exhibits "A" and "B"

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of declarant)

\_\_\_\_\_  
(Print name)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of declarant)

\_\_\_\_\_  
(Print name)

## ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
(insert name and title of the officer)

personally appeared \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

**(Seal)**

Signature \_\_\_\_\_

# EXHIBIT "A"

## EASEMENT TO BE ABANDONED

THE WEST 340.73 FEET OF AN EXISTING 15.00 FEET DRAINAGE EASEMENT GRANTED PER PARCEL MAP NO. 28-90, ON FILE IN BOOK 8, PAGE 47 IN THE RECORDER'S OFFICE OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, LYING SOUTH OF THE NORTH LINE OF PARCEL 1 OF PARCEL MAP NO. 40-91 ON FILE IN BOOK 9, PAGE 82 IN SAID RECORDER'S OFFICE.

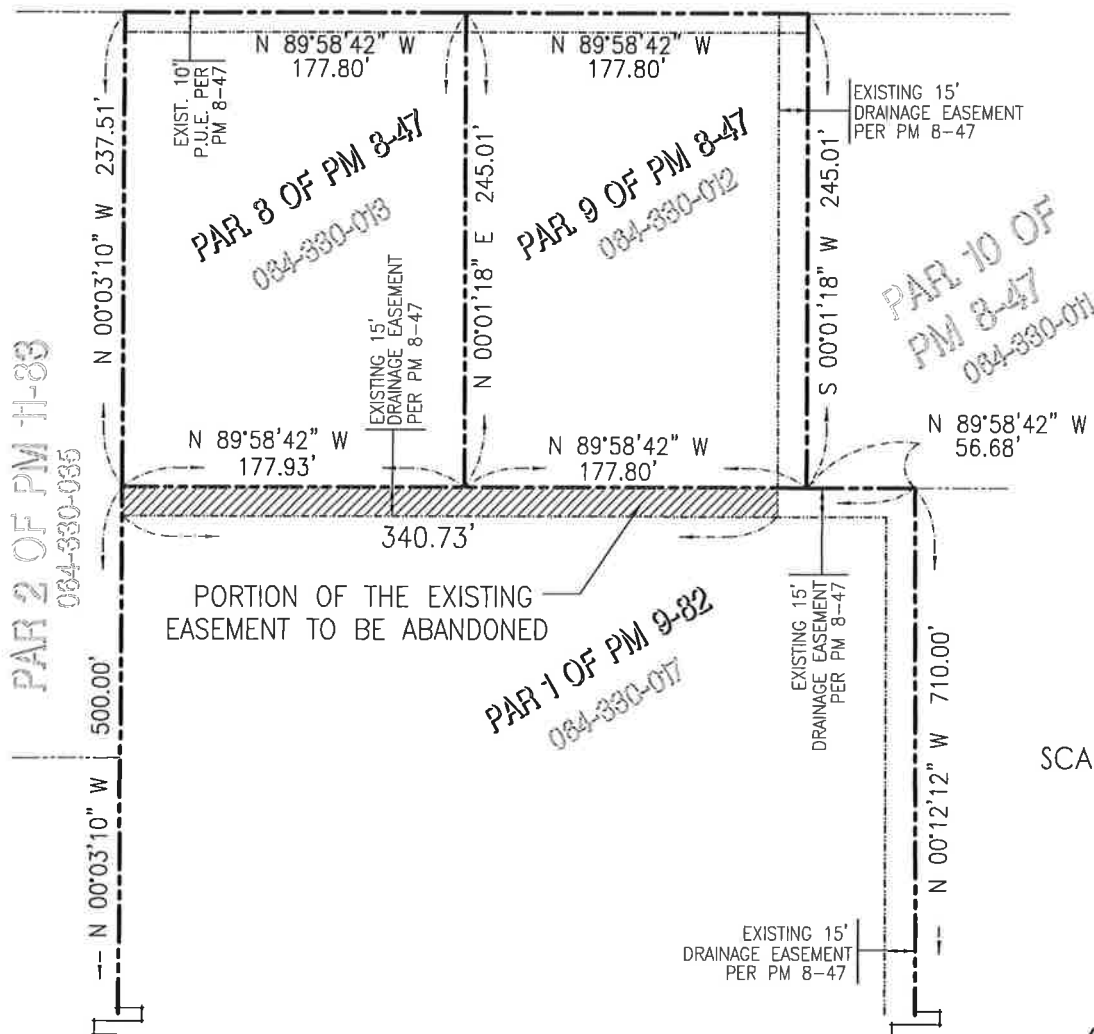
*HR* 4/15/19



# EXHIBIT "B"

EASEMENT TO BE ABANDONED

INDUSTRY WAY



SCALE: 1"=100'

*UHY* 4/15/19



# EXHIBIT 1

# PM 8-47

**SURVEYOR'S MONUMENTATION STATEMENT**  
 I, Harrison P. Barton, hereby state that all monuments shown on this map are correctly located and occupy the positions indicated and that the monuments are sufficient to enable the survey to be retraced.  
 Harrison P. Barton, L.S. No. 3397

IN THE CITY OF IMPERIAL, COUNTY OF IMPERIAL, STATE OF CALIFORNIA  
**PARCEL MAP No. 28-90**  
 BEING A DIVISION OF PARCEL 3 OF CERTIFICATE OF COMPLIANCE NO. 27-89 RECORDED IN BOOK 1635, PAGE 1166 OF OFFICIAL RECORDS OF IMPERIAL COUNTY, BEING A PORTION OF TRACT 101, T 15 S., R. 13 E., S.B.M. IMPERIAL COUNTY, CALIFORNIA.

**SURVEYOR'S STATEMENT**  
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF THE APPLICANT. I HAVE BEEN ADVISED THAT THE APPLICANT HAS OBTAINED ALL NECESSARY APPROVALS AND THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.



Harrison P. Barton, L.S. 3397  
 EXPIRATION DATE: 9/30/32

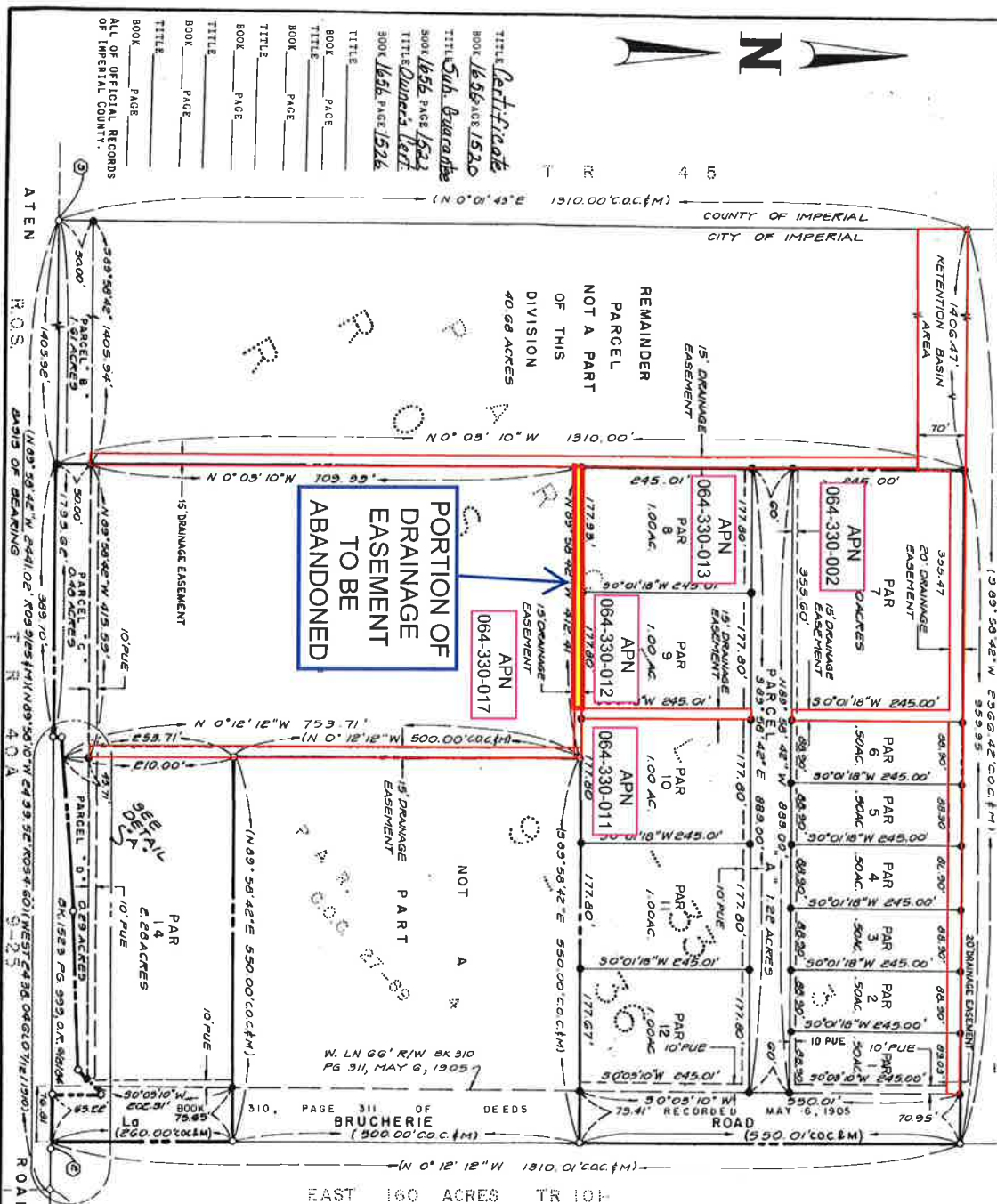
**CITY ENGINEER'S STATEMENT**  
 THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES OF THE CITY OF IMPERIAL.  
 DATE: 8/16/1990  
 Michael Starnes  
 CITY ENGINEER  
 EXPIRATION DATE: 8/31/91



**CITY CLERK'S STATEMENT**  
 I HEREBY CERTIFY THAT THE CITY OF IMPERIAL BY RESOLUTION HAS APPROVED THIS MAP AND ACCEPTED ON BEHALF OF THE CITY ALL PARCELS OF LAND OFFERED FOR DEDICATION AS SHOWN HEREWITH.  
 DATE: 8/25/1990  
 Betty Alvarez  
 CLERK OF THE CITY COUNCIL

**COUNTY RECORDER'S STATEMENT**  
 I HAVE FILED THIS TENTATIVE MAP OF PARCEL MAPS, AT PAGE 47548, AT THE REQUEST OF THE APPLICANT.  
 DOCUMENT NO. 90-16629  
 DATE: 8/25/1990  
 Douglas Franklin  
 COUNTY RECORDER

**TECO Title Insurance**  
 BASIS OF BEARING:  
 BEARING OF NORTH 89° 58' 42" WEST ALONG THE SOUTH LINE OF TRACT 101 BETWEEN THE NW CORNER OF TRACT 40B AND THE SE CORNER OF TRACT 45 PER ROS 9-25.  
 SURVEYOR'S NOTES:  
 SEE SHEET 2.



TESCO ENGINEERING & SURVEYING  
 SHEET 1 OF 2